



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/522,750	03/10/2000	David B. Black	C0375/188130	4939

23370 7590 09/17/2002

JOHN S. PRATT, ESQ  
KILPATRICK STOCKTON, LLP  
1100 PEACHTREE STREET  
SUITE 2800  
ATLANTA, GA 30309

EXAMINER

KYLE, CHARLES R

ART UNIT	PAPER NUMBER
----------	--------------

3624

DATE MAILED: 09/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n No.

09/522,750

Applicant(s)

BLACK, DAVID B. 

Examiner

Charles R Kyle

Art Unit

3624

-- The MAILING DATE of this c mmunication appears on the c ver sh et with the corresp ndenc address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4-6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kling et al.*

**Concerning Claim 1**, *Kling* discloses the invention substantially as claimed, including

in a method for processing transactions to accounts the steps of:

receiving transactions related to a plurality of the accounts (Col. 3, lines 61-64);

converting the transactions into messages (Background of the Invention);

assigning a lower priority to first messages ready for processing relative to a second type of messages (Col. 2, lines 36-50);

processing, with system resources, the second type of messages at the higher priority than messages ready for first types messages (Abstract); and

processing first transactions to the accounts when the system resources are available;

wherein the processing of the transactions can occur in essentially real-time (Col. 5, lines 8-9; Fig 6.) and can be interspersed with the processing of the second type of message (Figure 2).

*Kling* does not specifically disclose that the first type of message is a posting activity. *Kling* does suggest that posting would be performed in discussion of message types at Col. 5, line 59 to Col. 6, line 19. In this passage, *Kling* discusses account balance inquiry messages and the fact that other types of messages can logically combined by his invention. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a posting type message in the invention of *Kling* because this would have made accurate account balances for inquiry possible. If posting were not don on a timely basis through messages, the financial balance inquiry disclosed would not be possible.

**With respect to Claims 5 and 6,** *Kling* discloses plural and one at a time transaction receipt at the Abstract, i.e. transaction-interactive and batch-interactive.

**With respect to Claims 9 and 10,** see the discussion of claims 7, 5 and 6 above.

**With respect to Claim 7,** *Kling* discloses the invention substantially as claimed,

including in a method for updating an account having account information (Col. 3, lines

61-64), the steps of:

associating at least one rule with the account, the rule for being used in controlling a

processing of the account (Abstract);

storing at least one parameter of the rule in

a database (Col. 7, lines 48-60);

receiving a transaction related to the

account (Fig. 6, element 601);

identifying all rules associated with the

account (Abstract; Fig. 6, ele. 607);

applying the rules to the transaction

(Col. 7, line 61 to Col. 8, line 46);

inserting the transaction into the account

information; and

propagating balances maintained for the account (Fig. 3, ele 301).

*Kling* does not specifically disclose that a rule is changed by parameter modification. It would have been obvious to one of ordinary skill in the art at the time the invention was made that such modification could be made change priority, “urgency indicators”, so as to allow for changing importance of transaction types. For example, at one particular time of day, it might be more logical for particular transaction messages to be processed first because of time constraints; relief from such constraints at another time might warrant reducing the priority of that transaction message.

**With respect to Claims 11 and 12**, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have projected

accounts to allow a “warning” period in which accounts could be monitored for usage trends. This would be similar in use to velocity checks on an account which help project account activity and 6 set forth above.

**Claims 2-4** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kling et al* in view of *Hogan*, already of record.

**With respect to Claim 2**, *Kling* discloses the invention substantially as claimed. *Kling* does not specifically disclose a transaction message as an authorization, although as noted before, he does disclose financial transaction messages.

**Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Kling et al* in view of *Auditing*.

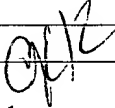
**With respect to Claim 8**, *Kling* discloses the invention substantially as claimed. See the discussion of Claim 7 above. *Kling* does not specifically disclose the use of an account master. *Auditing* discloses such use at page 297. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the account master disclosed by *Auditing* in the method of *Kling* because this would have allowed for changes to be made for many instances of a particular account with a change to a single account master, rather than time-consuming individual changes to each instance.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles R Kyle whose telephone number is (703) 305-4458. The examiner can normally be reached on M-F 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



crk  
September 3, 2002

  
VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600